



EDMUND G. BROWN JR.
GOVERNOR

MATTHEW RODRIGUEZ
SECRETARY FOR
ENVIRONMENTAL PROTECTION

State Water Resources Control Board
Division of Drinking Water

February 9, 2015
Certified Mail/Return
7012 3460 0003 1113 1670

Colusa Industrial Properties
50 Sunrise Blvd.
Colusa, CA 95932

Attention: Ed Hulbert, CEO

Subject: Public Water System No. 0600065 – Citation No. 21-15C-014 for Lead and Copper Rule monitoring violation.

It has come to our attention that the Colusa Industrial Properties water system failed to monitor and report lead and copper samples according to the Lead and Copper Rule (LCR). Consequently, the Division of Drinking Water has issued the enclosed Citation for Noncompliance (Citation) to the water system. The enclosed Citation includes directives for corrective action and public notification.

Section 116577 of the California Safe Drinking Water Act provides for the division to be reimbursed by the public water system for costs incurred for preparing and issuing a citation. The billing rate is approximately \$128 per hour. At this time, we have spent approximately one hour preparing this violation. You will receive a bill for these costs, typically by September 1st, from the Sacramento office.

If you have any questions please call Paul Rowe at (530) 224-4866 or contact me directly at (530) 224-4861.

Reese B. Crenshaw, P.E.
Valley District Engineer
DRINKING WATER FIELD
OPERATIONS BRANCH

Enclosures

FELICIA MARCUS, CHAIR | THOMAS HOWARD, EXECUTIVE DIRECTOR

364 Knollcrest Drive, Suite 101, Redding, CA 96002 | www.waterboards.ca.gov

1 **Citation No. 21-15C-014**

2
3 **STATE WATER RESOURCES CONTROL BOARD**
4 **DIVISION OF DRINKING WATER**
5

6 **Public Water System:** Colusa Industrial Properties

7 **Water System No.:** 0600065
8

9 **To:** Colusa Industrial Properties

10 Attn: Ed Hulbert, CEO

11 50 Sunrise Blvd.

12 Colusa, CA 95932
13

14 **Issued:** February 9, 2015

15 VIA CERTIFIED MAIL
16

17
18 **CITATION FOR NONCOMPLIANCE**

19 **With Title 22 California Code of Regulations**

20 **Sections 64675**
21

22 Section 116650 of the California Health and Safety Code (CHSC) authorizes the
23 issuance of a citation for failure to comply with a requirement of the California Safe
24 Drinking Water Act (CHSC, Division 104, Part 12, Chapter 4, commencing with
25 Section 116270), or any regulation, standard, permit, or order issued thereunder.
26

1 The State Water Resources Control Board (hereinafter "Board"), acting by and
2 through its Division of Drinking Water (hereinafter "Division") and the Deputy Director
3 for the Division, hereby issues a citation to Colusa Industrial Properties for failure to
4 comply with Section 64675.5, Title 22, of the California Code of Regulations (CCR).

5
6 **APPLICABLE AUTHORITIES**

7 Section 116650 of the CHSC states:

8
9 *(a) If the division determines that a public water system is in violation of*
10 *this chapter or any regulation, permit, standard, citation, or order*
11 *issued or adopted thereunder, the division may issue a citation to the*
12 *public water system. The citation shall be served upon the public*
13 *water system personally or by certified mail. Service shall be deemed*
14 *effective as of the date of personal service or the date of receipt of*
15 *the certified mail. If a person to whom a citation is directed refuses to*
16 *accept delivery of the certified mail, the date of service shall be*
17 *deemed to be the date of mailing.*

18
19 *(b) Each citation shall be in writing and shall describe the nature of the*
20 *violation or violations, including a reference to the statutory provision,*
21 *standard, order, citation, permit, or regulation alleged to have been*
22 *violated.*

23
24 *(c) A citation may specify a date for elimination or correction of the*
25 *condition constituting the violation.*
26

1 (d) A citation may include the assessment of a penalty as specified in
2 subdivision (e).

3
4 (e) The division may assess a penalty in an amount not to exceed one
5 thousand dollars (\$1,000) per day for each day that a violation
6 occurred, and for each day that a violation continues to occur. A
7 separate penalty may be assessed for each violation.
8
9

10 Section 64675.5, Title 22, of the CCR states in relevant part:

11
12 (a) A system shall conduct standard tap sampling for two
13 consecutive periods; thereafter, tap sampling frequency may be
14 reduced pursuant to section 64675 (General Requirements for
15 Tap Sampling for Lead and Copper) as follows:

16
17 (1) If a system has 90th percentile levels that do not exceed
18 0.005 mg/L for lead and 0.65 mg/L for copper for two
19 consecutive periods, it may reduce the sampling to once every
20 three years at the reduced number of sites.
21
22

23 **STATEMENT OF FACTS**

24 The Colusa Industrial Properties (hereinafter "Water System") is classified as a non-
25 transient non-community water system serving approximately 350 people. The Water
26 System is required to collect ten (10) standard tap samples for two consecutive

1 periods (6 months apart) according to Table 64675-A and section 64675.5 of Title 22.
2 In June of 2007, the Water System collected the first round of standard lead and
3 copper tap samples, but did not take the second round of samples six (6) months
4 later. Subsequently the Water System collected another round of standard lead and
5 copper samples in August of 2011, but again did not collect samples six (6) months
6 later to fulfill the standard tap sampling requirements.

9 **DETERMINATIONS**

10 The Division has determined that the Water System violated Section 64675.5(a)(1),
11 Title 22, of the CCR, in that the Water System failed to conduct standard tap sampling
12 for two consecutive periods in the years 2007 and 2011.

15 **DIRECTIVES**

16 The Water System is hereby directed to take the following actions:

- 18 1. Comply with Section 64675.5, Title 22, of the CCR in all future monitoring
19 periods.
- 20
21 2. **Beginning in 2015, conduct lead and copper monitoring from customer's**
22 **taps no later than March 31, 2015, then six (6) months later in September**
23 **of 2015. Subsequent samples are to be taken in June, July, August or**
24 **September of 2017. Thereafter, triennial sampling may begin.** Samples
25 shall be collected in accordance with the Lead and Copper Rule sampling per
26 Title 22, Section 64677. The analytical results must be reported to the Division

1 by the 10th day of the month following the month in which the analyses were
2 completed.
3
4

- 5 3. The Water System shall provide public notification (by inclusion in the **2014**
6 **Consumer Confidence Report**) of the failure to sample lead and copper, as
7 required by the Lead and Copper regulations.
8
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10 All documents required by this Citation to be submitted to the Division shall be
11 submitted to the following address:
12

13 Reese B. Crenshaw, P. E.
14 Valley District Engineer
15 Drinking Water Field Operations
16 Division of Drinking Water
17 State Water Resources Control Board
18 364 Knollcrest Drive, Suite 101
19 Redding, CA 96002
20 (530) 224-4800
21

22 Nothing in this Citation relieves the Water System of its obligation to meet the
23 requirements of Health and Safety Code, Division 104, Part 12, Chapter 4 (California
24 Safe Drinking Water Act), or any regulation, permit, standard or order issued or
25 adopted thereunder.
26

1 The Division reserves the right to make such modifications to this Citation, as it may
2 deem necessary to protect public health and safety. Such modifications may be
3 issued as amendments to this Citation and shall be effective upon issuance.
4
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6 **FURTHER ENFORCEMENT ACTION**

7 The California SDWA authorizes the Board to: issue citation with assessment of
8 administrative penalties to a public water system for violation or continued violation of
9 the requirements of the California SDWA or any permit, regulation, permit or order
10 issued or adopted thereunder including, but not limited to, failure to correct a violation
11 identified in a citation or compliance order. The California SDWA also authorizes the
12 Board to take action to suspend or revoke a permit that has been issued to a public
13 water system if the system has violated applicable law or regulations or has failed to
14 comply with an order of the Board; and to petition the superior court to take various
15 enforcement measures against a public water system that has failed to comply with
16 violates an order of the Board. The Board does not waive any further enforcement
17 action by issuance of this citation.
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20 **PARTIES BOUND**

21 This Citation shall apply to and be binding upon the Water System, its officers,
22 directors, agents, employees, contractors, successors, and assignees.
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1 **SEVERABILITY**

2 The directives of this Citation are severable, and the Water System shall comply with
3 each and every provision thereof notwithstanding the effectiveness of any other
4 provision.

5

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7

8 R. Crenshaw
9 Reese B. Crenshaw, P.E., District Engineer
10 Valley District
11 Drinking Water Field Operations Branch

2/9/15
Date

